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Exemptions: (b)(1), (b)(3)

China

Sentencing to labor camps or factory prisons is used extensively in China's penal system; probably a majority of China's criminals receive labor sentences. Two broad classifications for penal labor exist — reeducation through labor and the much harsher reform through labor — both of which fall under the definition of forced labor. Reeducation through labor is an administrative, not judicial, sanction and may be applied by a number of groups, including a work unit or the local Public Security Bureau. Exile to labor reform camps in remote areas is a common punishment for a wide variety of ordinary crimes as well; several hundred thousand people were so sentenced in last year's crime crackdown. We do not possess reliable estimates of the penal population — one source reported a figure of nine million "political" prisoners in penal labor institutions. [REDACTED]

The largest percentage by far of convict labor is engaged in agriculture, usually in remote areas. There are some factories and mines that employ penal labor. We have no evidence that any of these produce goods for export, but some do produce goods of a type that is exported — for instance, socks or plastic sandals. Farm produce is generally consumed at the labor camps or sold locally; manufactured goods and minerals are sold at low prices to provincial enterprises or government units. Private or nonstate collective enterprises do not use penal labor. [REDACTED]

Participation in labor is not voluntary. The Chinese authorities seem to take seriously the use of labor as a reform tool. Convicts work 6 days a week, from 8-11 hours per day. Workers are paid a nominal amount, usually about two yuan (approximately US\$1) per month. Basic food — rice or other grain and vegetables — is provided. Prisoners may buy other foodstuffs or receive gifts from relatives. Living conditions in established camps are spartan but in most camps a living standard not unlike that in China's poor

regions is maintained. Because of harsh climatic and working conditions, the death rate in some camps -- especially mines -- has been high; this is especially true when large numbers of prisoners are transported to a climate drastically different from that of their native place. Authorities take measures to deal with the problem, including relocation of prisoners to camps in areas where they can tolerate the climate. Discipline is strict in camps, especially the reform through labor camps. Corporal punishment is officially forbidden, but does occur. Interviews and published stories claim that China does have a Soviet-style gulag system of camps for particularly dangerous or recalcitrant political prisoners, where food is scarce, labor is hard, and physical punishment commonplace. These camps are in the remotest areas of China and are closely guarded; labor in them is used for agricultural production, mining, and probably construction. [REDACTED]

We have no quantity or value data for production through the penal labor system, other than for a few scattered farms. Similarly, there is no information on distribution channels or commercial terms other than the fact that various provincial bureaus buy the manufactures and some of the produce at favorable terms. [REDACTED]